

Docket No.:

In re:

US National Application No.: US National Filing Date:

International Application No.:

International Filing Date:

PCT Notice of Missing Requirements mailed:

Title: Medicament Carrier

PG3694USW

Stanley George BONNEY

10/031,261

PCT/EP00/03518

April 19, 2000

April 8, 2002

Commissioner for Patents

**BOX PCT** 

Washington, DC 20231

Attn: DO/EO/US

PCT Response to Notification of Missing Requirements under 35 USC 371 in the DO/EO/US

Sirs:

In response to the PCT Notification of Missing Requirements under 35 USC 371 in the DO/EO/US and mailed to us on April 08, 2002, we submit the following response.

The missing declarations for Stanley George BONNEY, Michael Birsha DAVIES, James William GODFREY, Sylvia Maria HAGLUND and Paul Kenneth RAND were submitted on January 10, 2002 as a 2<sup>nd</sup> transmission under 35 USC 371. A copy of this transmission is attached along with the return post card and express mail receipt..

#### Documents attached

- Copy of Form PCT/DO/EO/905
- Copy of 2<sup>nd</sup> transmission under 35 USC 371 with signed declarations for each inventor and with a copy of post card and express mail receipt

Please charge our deposit account 07-1392 for all required fees taking note that we have already paid the \$130.00 for late declarations when we filed our 2<sup>nd</sup> transmission under 35 USC 371...

Respectfully submitted,

Date: 29 APRIL

James P. RIEK

Attorney of Record 39,009

GlaxoSmithKline.

Corporate Intellectual Property Department Five Moore Drive, PO Box 13398

Research Triangle Park, NC 27709

Telephone: 919-483-2370

Fax: 919-483-7988



### UNITED STATES PATENT AND TRADEMARK OFFICE

IPSS Elaine

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NUMBER NO FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/031,261 Stanley George Bonney PG3694 USW INTERNATIONAL APPLICATION NO. 23347 PCT/EP00/03518 DAVID J LEVY, CORPORATE INTELLECTUAL PROPERTY I.A. FILING DATE PRIORITY DATE GLAXOSMITHKLINE 04/19/2000 (C) 될 04/24/1999 FIVE MOORE DR. PO BOX 13398 **DURHAM, NC 27709-3398** CONFIRMATION NO. 5050 APR 1 5 2002 371 FORMALITIES LETTER \*OC000000007803224\* GLOBAL INTELLECTUAL PROPERTY

Date Mailed: 04/08/2002

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- · Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

OP Docket Not PG 369 4USW
Attorney: JPR DECLARATION
Paper: N/MISS REQUIREMENTS - DUE
Due Date 08 JUN 02

Due Date: 08 JUN 01 Deadline: 08 OCT 02 Recorded:

Recorded: TOS / RED BOOK

The following items **MUS**T be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

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	TITLE: Medic	ament Carr	TOTAL LIGHT OF THE STORE	
	The date stamp of	f the Patent Office he	reon may be considered as the date on which	
	Papers marcated	ociów are received.		
1	Application	pages _	claims	
1	Abstract		Cialitis	
1	Assignment	v/Coverletter	Bonnou	
. "	Drawings (	sheets)	Danies	
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\_ Petition for Extension of Time

Issue Fee TransmittalNotice of AppealAppeal Brief

Req. for Oral Hearing

Certificate of Mailing

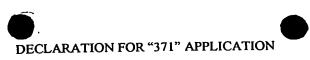
CERTIFICATEOF Applicant(s): Stanley Go	MAIL" (37 CFR 1.10)	Docket No. PG3694USW				
Serial No.	Filing Date	Examiner	Group Art Unit			
Invention: Medicament	nvention: Medicament Carrier					
. I hereby certify that th	e following correspondence:					
	CT application under 35 USC 37	in the DO/EO/US				
	(Identify type	of correspondence)				
is being deposited wit	th the United States Postal Servi	ce "Express Mail Post Office to Ad	dressee" service under			
37 CFR 1.10 in an en	velope addressed to: The Assista 1 10, 2002	ant Commissioner for Patents, Was				
		Elaine Martens (Typed or Printed Name of Person Mailin				
		Elsine M	arlens			
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FORM P	TO-1390	0 (Modified) U.S. DEPARTM	OF COMMERCE PATENT AND TRADEMARK OFFICE	AT .EY'S DOCKET NUMBER			
(KEV II	TR	ANSMITTAL LETTER	TO THE UNITED STATES	PG3694USW			
		DESIGNATED/ELECTE	ED OFFICE (DO/EO/US)	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR			
		CONCERNING A FILIN	G UNDER 35 U.S.C. 371	į į			
INTER		ONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED			
INTER		PCT/EP00/03518	19 April 2000	24 April 1999			
		VENTION					
Med	icam	ent Carrier					
APPLI	CAN	r(s) for do/eo/us					
	•	•	rsha DAVIES; James William GOD	FREY; Sylvia Maria HAGLUND, Paul			
	•	RAND					
Appli	cant h	erewith submits to the United Star	tes Designated/Elected Office (DO/EO/US)	the following items and other information:			
1.	, 🗆	This is a FIRST submission of it	tems concerning a filing under 35 U.S.C. 37	71.			
2.	Ø	This is a SECOND or SUBSEQ	UENT submission of items concerning a fil	ling under 35 U.S.C. 371.			
3.		This is an express request to beg (6), (9) and (24) indicated below	in national examination procedures (35 U.S	C.C. 371(f)). The submission must include itens (5),			
4.		•	expiration of 19 months from the priority da	ate (Article 31).			
5.			ication as filed (35 U.S.C. 371 (c) (2))				
		a.  is attached hereto (required only if not communicated by the International Bureau).					
		b.  has been communicated by the International Bureau.					
			pplication was filed in the United States Re	ceiving Office (RO/US).			
6.		An English language translation	of the International Application as filed (35	5 U.S.C. 371(c)(2)).			
		a. is attached hereto.					
		b.  has been previously sub	bmitted under 35 U.S.C. 154(d)(4).				
7.		Amendments to the claims of the	e International Application under PCT Artic	cle 19 (35 U.S.C. 371 (c)(3))			
		a.  are attached hereto (req	juired only if not communicated by the Inter	rnational Bureau).			
		b.  have been communicate	ed by the International Bureau.				
		c. have not been made; he	owever, the time limit for making such ame	ndments has NOT expired.			
		d.  have not been made and	d will not be made.				
8.		An English language translation	of the amendments to the claims under PC7	T Article 19 (35 U.S.C. 371(c)(3)).			
9.	$\boxtimes$	An oath or declaration of the inv	entor(s) (35 U.S.C. 371 (c)(4)). Bonne	ey, Davies, Godfrey, Haglund, Rand			
10.		An English language translation Article 36 (35 U.S.C. 371 (c)(5))	of the annexes to the International Prelimin	nary Examination Report under PCT			
11.5		A copy of the International Preli	minary Examination Report (PCT/IPEA/40	9).			
12.		A copy of the International Search					
It	ems I	13 to 20 below concern documen	t(s) or information included:				
13.			ement under 37 CFR 1.97 and 1.98.				
14.		An assignment document for rec	cording. A separate cover sheet in complian	ace with 37 CFR 3.28 and 3.31 is included.			
15.		A FIRST preliminary amendme					
16.		A SECOND or SUBSEQUENT					
17.		A substitute specification.					
18.	☐ A change of power of attorney and/or address letter.						
19.			e sequence listing in accordance with PCT F	Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.			
20.		A second copy of the published	international application under 35 U.S.C. 13	54(d)(4).			
21.			nguage translation of the international appli	· · · · · · · · · · · · · · · · · · ·			
22.	. 🛮 Certificate of Mailing by Express Mail						
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U.S. APPLICATION NO	I.S. APPLICATION NO. (IF KNOWN, SEES CFR INTERNATIONAL APPLICATION NO.				ATTORNEY'S DOCKET NUMBER		
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	ving fees are submitted:.	(E)) a				CALCULATION	S PTO USE ONLY
☐ Neither internat	SIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)):  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040						
International pr USPTO but Into	eliminary examination fee (37 ernational Search Report prepa	CFR 1.482) not paid to ared by the EPO or JPO		\$85	90.00		
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David J. LEVY	David LI EVV						
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· ·	Five Moore Drive, PO Box 13398 Research Triangle Park, NC 27709						
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COMBINED DECLAR APPLICATION WITH  ( ) Declaration submitted with initial ( )Declaration submitted after initial for the complex of the comple	POWER O	F ATTORNEY	DESIGN PATENT	ATTORNEY'S DOCKET PG3694USW  First Names Inventor: Stanley BONNEY  Complete if known: App No.:  Filing Date  Group Art Unit:
As below named	inventor. I hereb	y declare that:		
My residence, post office a	address and citize	enship are as stated belo	ow next to my name.	
I believe I am the original (if plural names are listed entitled:	, first and sole in below) of the sub	ventor (if only one nam pject matter which is cla	e is listed below) or an original nimed and for which a patent is	, first and joint inventor sought on the invention
		MEDICAMENT C	ARRIER	
the specification of which	(check only one	item below):		
Application Number PC applicable)  I hereby state that I have as amended by any amended by any amended acknowledge the duty to I hereby claim foreign pror inventor's certificate of the Market States of Amended	reviewed and under the disclose informationity benefits under 365(a) of any Porica, listed belower tificate or of any	derstand the contents of y referred to above.  Action which is material der 35, U.S.C. §119 (a).  CT international applicational deptification in the content of the contents of the conten	or PCT (MM/DD/YYYY) or PCT the above-identified specification patentability as defined in 37-(d) or §365(b) of any foreign a ation which designated at least d below, by checking the box, a plication having a filing date be	(if on, including the claims, CFR §1.56.  pplications(s) for patent one country other than ny foreign application
PRIOR FOREIGN AND ANY I	PRIORITY CLA	IMS UNDER 35 U.S.	C. 119:  Foreign Filing Date	PRIORITY
Prior Foreign Application Number (s)	(	Country	(MM/DD/YYYY))	CLAIMED
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5				
I hereby claim the benefit under	Title 35, United S	tates Code §119(e) of a	ny United States provisional ap	plication(s) listed below:
Application No.		Filing Date	e (MM/DD/YYYY)	
1.				
3.				
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### COMBINED DECLARATION FOR UTILITY or DESIGN PATENT APPLICATION WITH POWER OF ATTORNEY

PRIOR U.S. PARENT APPLICATION or PCT PARENT APPLICATION

U.S. Patent and Trademark Office connected therewith. (List name and registration number)

ATTORNEY'S DOCKET NUMBER PG3694USW

ABANDONED

STATUS (Check one)

Bonnie L. Deppenbrock Reg. No. 28,209

PENDING

PATENTED

Reg. No. 39,009

Continued

U.S. Parent Application or PCT Parent

Number

I hereby claim the benefit under 35, U.S.C. §120 of any United States application or §365(c) of any PCT international application designating the United States of America that is listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Parent Filing Date

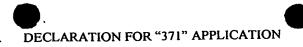
(MM/DD/YYYY)

James P. Riek

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the

Charl Karer Robe	es E. Dadswell 1 L. Prus 1 H. Brink	Reg. No. 27,655 Reg. No. 35,851 Reg. No. 39,337 Reg. No. 36,094 g. No. 38,181	James P. Riek Virginia C. Bennett Frank P.Grassler Christopher P. Rogers	Reg. No. 39,009 Reg. No. 37,092 Reg. No. 31,164 Reg. No. 36,334	John L. Lemanowicz Reg. No. 37,380. Amy H. Fix Reg. No. 42,616
Send Correspondence to:  David J. Levy, Patent Counsel  Corporate Intellectual Property Department  GlaxoSmithKline  Five Moore Drive, PO Box 13398		ual Property Department PO Box 13398	23347 PATENT TRADEMARK OFFICE		Direct Telephone Calls to:  James P. Riek 919-483-8022
I hereby declare that all statements made herein of my own knowledge are true and the information and belief are believed to be true; and further that these statements were a false statements and the like so made are punishable by fine or imprisonment, or both such willful false statements may jeopardize the validity of the application or any pate				r both, under 18 U.S.C. 1001, and that my patent issuing thereon.	
2	FULL NAME OF INVENTOR	FAMILY NAME BONNEY	FIRST G Stanle	EVEN NAME	second given name/initial George
0	INVENTOR'S SIGNATURE RESIDENCE &	Signature X	STATE	OR FOREIGN COUNTRY	Date: 2th Dec. '01 COUNTRY OF CITIZENSHIP
1	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive	GB cny Durh	am	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
	FULL NAME	FAMILY NAME		IVEN NAME	SECOND GIVEN NAME/INITIAL
2	OF INVENTOR INVENTOR'S	DAVIES Signature X	Mich	ael	Birsha  Date 13th Dec 2001
o	RESIDENCE & CITIZENSHIP	CITY Ware	STATE	OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP  GB
2	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive	CITY Durh	am	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2	FULL NAME OF INVENTOR	FAMILY NAME GODFREY	First of James	CIVEN NAME	SECOND GIVEN NAME/INITIAL William Date
	INVENTOR'S SIGNATURE	Signature X	STATE	OR FOREIGN COUNTRY	country of citizenship
0	RESIDENCE & CITIZENSHIP	Ware	GB		GB STATE & ZIP CODE/COUNTRY
3	POST OFFICE ADDRESS	FOST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive	Durt	am	North Carolina 27709, US
	<u> </u>				





0	FULL NAME OF INVENTOR INVENTOR'S SIGNATURE RESIDENCE & CITIZENSHIP POST OFFICE	FAMILY NAME HAGLUND Stenature X CITY Edinburgh POST OFFICE ADDRESS	FIRST GIVEN NAME Sylvia  STATE OR FOREIGN COUNTRY GB CITY	SECOND GIVEN NAMEZINITIAL Maria  Date X  COUNTRY OF CITIZENSHIP GB  STATE & ZIP CODE/COUNTRY
4 .	ADDRESS  FULL NAME	4F1 5 Montpelier	Edinburgh FIRST GIVEN NAME	EN10 4LZ GB  SECOND GIVEN NAME/INITIAL
2	OF INVENTOR INVENTOR'S SIGNATURE	RAND Signature X Paul Connect	STATE OR FOREIGN COUNTRY	Kenneth  Date x 20th Dec 2001  COUNTRY OF CITIZENSHIP
0	RESIDENCE & CITIZENSHIP POST OFFICE ADDRESS	Ware Post office Address GlaxoSmithKline	GB CITY Durham	GB state & zip code/country North Carolina 27709, US
,	ADDICIO	Five Moore Drive		

**COPY** 

· ·			
	ATION FOR UTILITY OF		ATTORNEY'S DOCKET PG3694USW
APPLICATION WITH	POWER OF ATTORNEY	<b>7</b>	First Names Inventor:
			Stanley BONNEY
			Complete if known:
( ) Declaration submitted with initial	filing or		App No.:
			İ
( )Declaration submitted after initial	filing (surcharge required 37CFR1.16(e))		Filing Date
7			
			Group Art Unit:
. As helow named	inventor. I hereby declare that:		
· PIS OCIOW Manner			
My residence, post office	address and citizenship are as stated belo	ow next to my name.	
I believe I am the origina (if plural names are listed entitled:	l, first and sole inventor (if only one nam below) of the subject matter which is cla	ne is listed below) or an original aimed and for which a patent is	, first and joint inventor sought on the invention
	MEDICAMENT C	CARRIER	
the engaification of which	n (check only one item below):		
the specification of which	(check only one hem below).		
[ ]is attached hereto. OR			
[x] was filed on 19 Apr	il 2000 as United States application Seri	al No or PCT	International
Application Number PC applicable)	T/EP00/03518 filed and was amended or	n (MM/DD/YYYY)	(if
I hereby state that I have	reviewed and understand the contents of	the above-identified specification	on, including the claims.
	dment specifically referred to above.	от о	,,
I acknowledge the duty to	o disclose information which is material t	to patentability as defined in 37	CFR §1.56.
or inventor's certificate o United States of America	iority benefits under 35, U.S.C. §119 (a)- r 365(a) of any PCT international applica , listed below and have also identified be icate or of any PCT international applica-	ition which designated at least of low, by checking the box, any f	ne country other than the foreign application for
	RIORITY CLAIMS UNDER 35 U.S.C		
Prior Foreign Application	Country	Foreign Filing Date (MM/DD/YYYY))	PRIORITY CLAIMED
Number (s) 1 9909357.7	GB	4/24/1999	X
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	itle 35, United States Code §119(e) of an	iy United States provisional app e (MM/DD/YYYY)	lication(s) listed below:
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3.			



4.

# COMBINED DECLARATION FOR UTILITY or DESIGN PATENT APPLICATION WITH POWER OF ATTORNEY Continued

ATTORNEY'S DOCKET NUMBER
PG3694USW

I hereby claim the benefit under 35, U.S.C. §120 of any United States application or §365(c) of any PCT international application designating the United States of America that is listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

RIOR U.S. PARENT APPLICATION	or PCT PARENT APPLICAT	ION	STATUS (Check	one)
U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	PATENTED	PENDING	ABANDONED
				<del> </del>
1				

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith. (List name and registration number)

David J. Levy Charles E. Dadswell Karen L. Prus

Robert H. Brink

Lorie Ann Morgan

Reg. No. 27,655 Reg. No. 35,851 Reg. No. 39,337

Reg. No. 36,094 Reg. No. 38,181 James P. Riek Virginia C. Bennett

Frank P.Grassler Christopher P. Rogers Reg. No. 39,009 Reg. No. 37,092 Reg. No. 31,164 Reg. No. 36,334 Bonnie L. Deppenbrock Reg. No. 28,209 John L. Lemanowicz Reg. No. 37,380

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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DECLARATION FOR "371" APPLICATION	_
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2	FULL NAME OF INVENTOR	FAMILY NAME HAGLUND	FIRST GIVEN NAME Sylvia	SECOND GIVEN NAMEZINITIAL  Maria
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Serial No. 10/031,261	Filing Date To be Assigned	Examiner		Group Art Unit	
Invention: MEDICAMENT CARRIE	ER				
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